

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

NAUTILUS INSURANCE COMPANY,

Plaintiff/Counterdefendant,

v.

THE IN CROWD, INC., AMERICAN COMMUNITY
SERVICES, INC., RODNEY A. RANKINS,
TOLLINY J. RANKINS, LeVAN P. ELLIS,
EDWARD W. SCOTT, RONALD F. SCOTT,
FE DePIERO, and ANTHONY C. DePIERO,

Defendants/Counterplaintiffs.

Case No. 3:04-0083

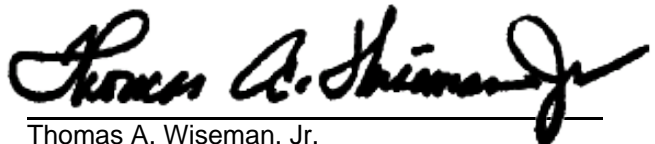
Judge Thomas A. Wiseman, Jr.

ORDER

Before the Court is Plaintiff-Counterdefendant Nautilus Insurance Company, Inc.'s combined Motion to Dismiss and Motion for Summary Judgment (Doc. No. 81), seeking dismissal of all counterclaims asserted against it by Defendants-Counterplaintiffs American Community Services, Inc., LeVan P. Ellis, the In Crowd, Inc., Rodney A. Rankins, and Tolliny J. Rankins. Also before the Court is the Defendants' Motion to Strike certain materials filed with and relied upon in Nautilus' Reply Brief (Doc. No. 109), and a Motion to Compel production of certain documents the defendants maintain are relevant to their counterclaims (Doc. No. 105).

Having considered the entire record in this matter, and for reasons set forth in the accompanying Memorandum, the Court hereby **GRANTS** the Plaintiff-Counterdefendant's motion and **DISMISSES WITH PREJUDICE** all counterclaims pending against it. Defendants-Counterplaintiffs' Motion to Strike and Motion to Compel are **DENIED** as **MOOT**.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge